

**email: [aaplanning@town.rockport.me.us](mailto:aaplanning@town.rockport.me.us)**

**Please print - ROCKPORT BOARD OF APPEALS APPLICATION – Please print**

**Name Applicant(s)/Appellant(s)** David Barry, David Kantor, Michael Hampton, John Priestley, Mark Schwartzmann  
Winston Whitney  
**Street Address(s)** See attached. **Map** \_\_\_\_\_ **Lot** \_\_\_\_\_

**Appellant Mailing Address** c/o Kristin Collins, Preti Flaherty, 45 Memorial Circle, Augusta ME 04330

**Appellant Email Address** kcollins@preti.com

Appellant Tel # 207-791-3292 Cell# \_\_\_\_\_ Fax# \_\_\_\_\_

Name of Appellants Agent/Legal Rep. See above

Agents Mailing Address \_\_\_\_\_

Agents Tel # \_\_\_\_\_ Cell# \_\_\_\_\_ Fax# \_\_\_\_\_

Agents Email Address	
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**INFORMATION ON PROJECT / ACTION BEING APPEALED OR APPLIED FOR**

**Name of Project** Building permit for hotel proposed by 20 Central Street LLC

Street Address of Project/Action 20 Central Street Map: 29 Lot: 293

**Name of Owner** 20 Central Street LLC

**Owners Mailing Address** PO Box 812, Camden ME 04843

**Owners Email Address** c/o Mark Coursey, Esq., Mark@camdenlaw.com

Owner's Tel. # 207-236-9206 Cell# Fax#

**TYPE OF APPEAL REQUIRING REVIEW**

(please check off and complete appropriate attached sheet for specific type of appeal)

- ☒ Administrative appeals of the order or decision of the Planning Board or Code Officer  
☐ Special Exceptions authorized by the Ordinance  
☐ Variances authorized by the Ordinance.  
☐ Ordinance interpretation  
☐ Miscellaneous appeals

## **IMPORTANT INFORMATION FOR APPELLANTS AND APPLICANTS**

1. Please provide twelve (12) copies of a complete appeal application and supporting documentation;
2. Please enclose a check for Board of Appeals hearing fee - (see attached fee schedule - pink sheet);
3. The Rockport Board of Appeals normally meets on the 4th Wednesday of the month;
4. Complete applications must be submitted to the Planning Office 15 days before a regularly scheduled meeting;
5. The Planning Office will schedule a meeting date upon receipt of a complete application, supporting documentation & fee;
6. Applications that are not complete will be returned to the appellant by the Planning Office for additional information.

**To the best of my knowledge, all information submitted with this application is true and correct.**

Signature of Appellant [Signature] Date Received by Planning Office \_\_\_\_\_

Appeals from Planning Board decisions made under 'Site Plan Review' may be filed by a person aggrieved by that decision. An appeal from the final decision of the Planning Board shall not be a de nova proceeding but shall be reviewed by the Appeals Board based on the record created by the Planning Board. The Appeals Board shall base its decision on whether the Planning Board decision was within the scope of Planning Board authority and supported by substantial evidence in the record.

Please see attached letter.

[illegible]

1. Please provide twelve (12) copies of a complete appeal application and supporting documentation;
2. Please enclose a check for Board of Appeals hearing fee - (see attached fee schedule - pink sheet);
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Kristin M. Collins  
kcollins@preti.com  
207.791.3292

April 9, 2021

VIA HAND-DELIVERY  
Town of Rockport  
Zoning Board of Appeals  
101 Main Street  
Rockport, ME 04856

**RE: Appeal of Building Permit; 20 Central Street, LLC**

Dear ZBA members:

Please accept this appeal pursuant to Section 702 of the Land Use Ordinance on behalf of the following Rockport residents and property owners:

David Barry – 1 Mechanic Street (Map 29, Lot 271)  
David Kantor and Michael Hampton – 32 Main Street (Map 35, Lot 129-2)  
John Priestley – 71 Main Street, Map 30, Lot 35 (home); 23 Central Street, Map 30, Lot 131-3 (business)  
Mark Schwarzmann – 33 Mechanic Street (Map 22, Lot 99)  
Winston Whitney – 30 Main Street (Map 20, Lot 129-1)

These appellants appeal Building Permit #6843, issued by the Code Enforcement Officer (“CEO”) to 20 Central Street LLC (“the Applicant”) on March 10, 2021, on the grounds that the building permit application and plans materially differ from the Planning Board’s site plan approval, and otherwise do not meet applicable standards of the Land Use Ordinance. A copy of the Building Permit is attached as Exhibit A.

## I. STANDING

The Appellants are each Rockport property owners and taxpayers who own property within 1,000 feet of the hotel proposed by 20 Central Street LLC (“the hotel”) and, for the reasons outlined below, stand to suffer impacts from the hotel that are distinctive from and more severe than will be suffered by the general public.

- John Priestley owns business property diagonally across the street from 20 Central Street, and has a direct view of the property. Mr. Priestley’s business property is benefitted by private parking spaces serving the building, which are frequently used by the public when public parking is unavailable to serve nearby businesses and event spaces. He will be directly impacted by the incongruous architectural appearance of the hotel, and by the lights and sounds coming from the hotel.
- David Barry lives at 1 Mechanic Street and has a direct view of the proposed hotel. He will be directly impacted by the incongruous architectural appearance of the hotel, by the lights and sounds coming from the balconies and open-air restaurant, as well as by parking impacts when hotel guests and other public park on Mechanic Street.

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- Mark Schwarzmenn lives and works at 33 Mechanic Street has a direct view of the rear of the proposed hotel across the harbor. Noise and light from the rooftop bar/restaurant and balconies will travel particularly well across the water to Mr. Schwarzmenn's property. Mr. Schwarzmenn will also be impacted by the same traffic and parking pressures suffered by the other appellants, as well as by the incongruous architectural appearance of the hotel.
- David Kantor and Michael Hampton live at 32 Main Street, just around the corner from the proposed hotel. Their private parking is located alongside and parallel to the street, making it particularly attractive to hotel guests and others trying to park as close as possible to downtown.
- Winston Whitney lives at 30 Main Street, next to Mr. Kantor and Mr. Hampton, and will suffer similar impacts.

These appellants each travel through Rockport Village daily both by foot and by vehicle and therefore stand to be directly impacted by the increased traffic and parking problems described in this appeal. They will also suffer light pollution and noise pollution as well as shortage of the public parking they have relied upon for themselves and their guests, as well as degradation of their property values.

Although there is no opportunity for direct engagement with the CEO in the review of building permit applications, these Appellants did engage with the CEO during his review of the building permit by a letter dated February 8, 2021 which raised the issues outlined in this appeal.

## II. RECORD

Although this appeal will be reviewed on a *de novo* basis (see Section 705.1), the Appellants will also be referring to plan materials submitted by the Applicant. Due to the volume of these materials, the Appellants will attach some relevant materials to this appeal request and will refer to these and other materials as relevant during the hearing. The Appellants further request the ability to question the CEO and representatives of the Applicant on relevant topics during the hearing.

## III. BASIS FOR APPEAL

### A. Failure to Meet Section 917, Note 9.

As amended in August of 2020, the Land Use Ordinance provides via Footnote 9 to the Section 917 Land Use that, "No single inn or hotel, nor any combination of such uses located on the same lot, shall have more than 20 guest rooms. Notwithstanding 1 M.R.S. Section 302, subsection G. Notes 9 shall apply to all hotels and inns that have not received Planning Board approval and all required building permits as of March 1, 2020." This version of the Ordinance was in effect when the building permit application was submitted, as well as when the building permit was granted. On its face, the language requires any hotel submitted for building permit

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approval after August 2020 to be limited to 20 guest rooms. The issued building permit is for a 26-room hotel, which is plainly in violation of this standard.

The Applicant has challenged in pending litigation on this issue that the 2020 Ordinance cannot be applied because it would result in the nullification of the Planning Board's May 2020 site plan approval for the hotel. Site plan approval and building permit approval are two entirely different processes. Site plan approval is issued pursuant to Chapter 1300. The Planning Board in a site plan review applies the following performance standards set forth in Sections 1305 and 1306:

- Preserve and enhance the landscape
- Soils and erosion control
- Vehicular access
- Parking and circulation
- Surface water drainage
- Existing utilities
- Special features of development (setbacks and screening to minimize impacts of the development on surrounding properties)
- Exterior lighting
- Emergency Vehicle Access
- Municipal Services
- Water Quality
- Air Quality
- Water Supply

Site plan review focuses on the exterior impacts of the development. While elevation drawings are reviewed by the Planning Board, detailed building plans are neither submitted nor reviewed.

The CEO issues building permits pursuant to the standards set forth in Section 601, which states more generally that:

No structure shall be constructed...without a permit issued by the Code Enforcement Officer. No new use, change of use, resumption of a nonconforming use, or soil disturbance of 25 cubic yards or more for building construction shall occur without a permit issued by the Code Enforcement Officer. No building permit shall be issued except in conformity with the provisions of this Ordinance, except after written order from the Board of Appeals.

The CEO therefore must review the building permit application for conformance with the entire Land Use Ordinance, as well as with other "applicable State laws and municipal ordinances" (Sec. 602.3) and applicable building and life safety codes (Sec. 604.2). While site plan review must be completed before the CEO may issue a building permit (Sec. 1302), the CEO does not "rubber stamp" the Planning Board's site plan review and must make a thorough review of all

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relevant ordinances and codes before issuing approval of a building permit. In doing so, he must apply the version of the Ordinance in effect at the time the review is made.

Because the building permit for the hotel was applied for and issued after approval of the “Note 9” amendment, the CEO should have denied the permit on the grounds that it seeks a use not permitted under the Land Use Ordinance. The ZBA must order that the building permit be denied and that the Applicant be required to reduce the number of guest rooms to 20 in accordance with “Note 9.” This will require a revised site plan application because the number of guest rooms, while not directly considered by the Planning Board, has bearing on site plan standards like parking and circulation, as well as the general building design and compatibility and view protection issues.

**B. Failure to Meet Architectural Review Standards (Section 1003)**

In the June 2020 appeal of the site plan approval for the hotel, appellants argued that the Planning Board erred in applying the Architectural Review standards to the facts of the application before it. However, the Planning Board never had clear jurisdiction to apply those standards in the first place. As listed in Section A of this appeal, the Planning Board in a site plan approval applies only the standards listed in Section 1305 of the Land Use Ordinance:

1305. Performance Standards. The following standards are to be used by the Planning Board in judging applications for site plan reviews and shall serve as minimum requirements for approval of the site plan. The site plan shall be approved unless, in the judgment of the Planning Board, the applicant is not able to reasonably meet *one or more of these standards*. In all instances, the burden of proof shall be on the applicant.

There is nothing in the Ordinance that gave the Planning Board the authority (especially not final authority) to have applied Section 1003 to the hotel proposal. While some towns’ land use ordinances vest a Planning Board with full approval authority over certain types of uses, that is not how Rockport’s ordinance is structured. The Planning Board has jurisdiction only over the site plan standards in Section 1305; the CEO, pursuant to Section 601 applies all other standards of the Land Use Ordinance during a building permit review.

Remembering that the Board of Appeals is considering this appeal on a *de novo* basis, the Board must consider whether the building plans as submitted meet each of the Section 1003 standards. While architectural review standards are by their very nature subjective and sometimes vague, Rockport’s Comprehensive Plan serves as a valuable guide in interpreting and applying Section 1003. In the 2002 Comprehensive Plan Survey, respondents cited Rockport Harbor and the ocean as two of the principal views deserving protection. A review by the State Planning Office of the state’s most significant scenic areas called Rockport Village, “[o]ne of Maine’s most visually cohesive villages, with a strong orientation to its deep, well-defined harbor. Steeply sloping streets lead to a waterfront park, a rather extensive mooring area for pleasure craft and commercial boats, and an historic lime kiln. The density of development

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decreases with distance from the village center, terminating in a small lighthouse at the mouth of the harbor. A highly memorable, unified landscape.” The recommendations from the report for viewshed management were for “Strict performance standards for new construction and re-development activities within the viewshed of the harbor. Conservation easements to protect the edges and the skyline.”

Especially when considering the intent of the Ordinance as supported by the Comprehensive Plan, the proposed building does not meet the standards of Section 1003(1):

1. The hotel is not “located and configured in a visually harmonious manner with the terrain and vegetation of the parcel and surrounding parcels.” “The architectural design of [the structure] and [its] materials and colors” is not “visually harmonious with the overall appearance of neighboring structures.” The hotel is being located on a block of structures that are all very similar in era and design, but as designed it contains many architectural elements which are not harmonious with those other structures. This is especially problematic given Rockport Village’s designation as a historic place deserving of extra protections. For reference, see exterior building plans attached as Exhibit B.

- a. The balconies on the front and rear are incongruous with the rest of the block. There are no current protrusions on the front of the block, which overlooks private residences on Central, Franklin and Main Streets. The back of the block currently features only a few modest decks.
- b. Most balcony lights are guest-operated and may be left on at all hours, casting light pollution to an extent that is very significant compared to existing light pollution on the street and on the harbor.
- c. The balconies do not fit the New England vernacular, and the sheer number of them is visually imposing.
- d. The hotel will eliminate the current side façades of abutting structures, including their windows, defacing the iconic Shepherd Block building, a federally recognized historic building.
- e. The mass of the façade is, overall, not consistent with the mass of other buildings on the block.
- f. The building is set back from the sidewalk, unlike the other buildings on the block.
- g. The proposed design features mulled (double) windows, unlike the other buildings on the block.
- h. The proposed design lacks the ornate, corbelled brick cornice of the other brick buildings on the block.
- i. The façade of the building (both front and rear) has far more glass than on the other buildings on the block. The rear of the building overwhelms the more sedate, historic rear façades of the neighboring buildings and is visually imposing when viewed from the harbor.
- j. The size and proportion of the windows in the design are smaller than and not in keeping with the surrounding structures.

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- k. The stories of the hotel facing Central Street are disproportionate to the other buildings on the block.
  - l. The first floor of the hotel is several steps up from the street, which differs from surrounding buildings, all of which have their first story at or within one step of the sidewalk.
  - m. The hotel will completely cover the terrain and vegetation of the parcel save for a few feet of landscaping.
2. The hotel will eliminate scenic views from the main road and Goodridge Park by blocking out the current view entirely. There is no view more precious than the view of the harbor from Rockport's commercial streets. This lot has provided fully open views for over a century. Those views are important, ingrained, and must be retained. There is a way to develop this lot by building into the slope, which would allow the full views to be retained. At the bare minimum, the CEO should have required the building to maintain at least the length of view that existed when a structure last sat on the lot. As depicted in the historic photographs and plan attached as Exhibit C, the structures that last stood on the lot allowed for a thirty-five-foot viewshed. The hotel could easily have been designed to maintain that viewshed, without unduly restricting the applicant's development rights. The CEO should have required redesign of the building in order to meet Section 1003(1). Presumably the reduction to 20 rooms would further allow for maintenance of harbor views.
  3. The hotel will eliminate scenic views from the abutting structures by blocking their windows entirely. This is inconsistent with prior development of the Shepherd Block, which has always had usable windows on the western side, and does not comply with Section 1003(1).

**C. Failure to Meet Nuisance Standards (Section 801.7)**

The nuisance standard contained in Section 801.7 is another provision of the Ordinance which the Planning Board did not have jurisdiction to apply. The CEO was required to make an independent review of Section 801.7 before issuing the building permit. The hotel as depicted in the building plans will cause nuisance conditions. There is no evidence in the building permit submissions as to how noise from the rooftop bar (which we now know will be fully open to the sky and harbor) will be dampened or controlled. It is self-evident that the rooftop bar will be unduly noisy due to its position facing the harbor. The proposed hotel is surrounded largely by quiet residential streets. The noise from the rooftop bar will be distinct and will be amplified across the water and throughout town due to its height (especially since it is already located uphill). The rooftop bar is not in keeping with Rockport's overall environment and should not be permitted, especially not during the quieter evening hours. The noise and light generated from guests using their balconies will also cause a nuisance and will negatively affect nearby residents' quiet enjoyment of their properties. The balcony lights also violate Section 801.7(3).



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#### **D. Material Changes from Site Plan**

##### **1. Unpermitted Assembly Use.**

Drawings submitted by the Applicant depict an assembly use in the top-floor restaurant, showing 132 seats in a conference-style setting. (See Exhibit D). It is apparent that the Applicant's intention is to use this floor for weddings, events and business conferences, none of which were mentioned at all during the Planning Board's review. The applicant stated in its site plan application to the Planning Board that the top-floor restaurant would have 60 seats and require 20 parking spaces under the Land Use Ordinance. Under both the 2018 and 2020 versions of the Ordinance, "Places of Assembly" are a separately delineated use in the 913 Downtown District. Sec. 913.3(C). Under Section 803.1, assembly uses must provide one parking space for every four seats. The top-floor restaurant, as depicted, therefore requires the provision of 33 parking spaces, which means that it and the lobby restaurant, taken together, require the provision of 41 parking spaces, and not the 28 spaces the Planning Board considered.

This depiction of assembly use justifies denial of the building permit for several reasons. First, it represents a material deviation from the site plan approval, which was based on a total parking demand of 56 spaces. Pursuant to Section 1306, "[a]ll construction performed under the authorization of a building permit issued for development within the scope of this Ordinance shall be in conformance with the approved site plan." The site plan application did not depict or describe this assembly use, and therefore that use cannot be approved as part of the building plans. The building permit must either be denied or issued with a condition that no assembly use may be made of the restaurant space or of any other part of the hotel premises. Such use would create significant parking demand, all at once, that the Village cannot handle. Events were not contemplated in either the Planning Board's or ZBA's review of the offsite, valet parking arrangement. While hotel guests could better be encouraged to use valet parking, the hotel would have no control over the choices of event guests, who likely would want to park as close to the venue as possible. Those guests would all arrive and leave at approximately the same time, causing significant parking and traffic burdens on the village. Such use simply cannot be allowed without additional, thorough review by the Planning Board and ZBA.

##### **2. Changes to Façade**

Pursuant to Section 1306, "[a]ll construction performed under the authorization of a building permit issued for development within the scope of this Ordinance shall be in conformance with the approved site plan." The building plans show the following material differences from the design that was approved by the Planning Board, in ways that have direct bearing on the facts considered by the Planning Board in approving the site plan:

- a. The roof is shown as retractable. The applicant repeatedly asserted to the reviewing boards that this was not a "rooftop bar." It did state that the windows facing the harbor would be retractable, but it never mentioned a retractable roof. This design change is material and has direct impacts on the

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sound that will emanate from the restaurant, particularly if large events are planned.

- b. The elevations have been changed to show numerous “decorative columns” on the Central Street façade. These are both more numerous and of a substantially different design and character than shown on the elevations presented to the Planning Board. Remembering that this is a historic district, these changes are material to the issue of whether the design is in keeping with the architectural character of the block. Such columns are not found anywhere on Central Street.
- c. The building plans show numerous other differences from the elevations presented to the Planning Board:

Front Façade

- i. The elevations submitted to the Planning Board showed the front entry with two offset stairs and two doors; the building plans show one stairway and one door.
- ii. The arches to the sides of the main entry are substantially different and more ornate than shown to the Planning Board.
- iii. There is an additional doorway shown on the front of the building, and railing is not as originally depicted.
- iv. The four central room balconies went from full-width to door-width.
- v. The room windows were shown as four-over-one; the building plans show one-over-one.
- vi. The building plans show the room windows located lower on the wall than in the elevations.
- vii. The elevations presented to the Planning Board showed the dormers as extending past the doorframes. The building plans show them as being door-width.
- viii. The original elevations showed a curve in the sides of the mansard roof, with a bracket underneath (more like Union Hall). The building plans show a straight roofline and no bracket on both the front and rear facades.

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Rear Façade

- i. The elevations submitted to the PB showed arches over the porches on the lobby level; these are now gone.
- ii. The elevations to the PB showed consistent arch design between the lobby and top floors; they are now inconsistent.
- iii. The elevations to the PB showed four individual doors at the lobby level; the building plans show two doors and large folding glass doors at the center.
- iv. The elevations to the PB showed overhanging arched roofs matching the archways below; the building plans show peaked roofs with no overhang.
- v. The building plans show a large continuous balcony with railing panels at the top level that are either glass or opaque. These were not shown in the elevations submitted to the Planning Board.

Not only have the number and sizes of doors and windows changed, but the changes to the architectural features are numerous and substantial. Taken together, the submitted building plans are so significantly different than what the Planning Board approved, that the CEO could not have properly approved them.

**3. Changes to Parking; Interference with Prior Approval**

The Applicant has changed the configuration of its lot in a way that materially differs from 2008 and 2009 site plan approvals for 18 Central, and from the 2020 site plan approval for 20 Central. Section 1303 of the Land Use Ordinance requires site plan review for revisions to a previously approved Site Plan.

The Applicant in its submission to the Planning Board alternately depicted and described the Sandy's Way parking area as either being within the lot then comprising 18 Central Street, or to be conveyed in part to the hotel. When challenged that it would be using shared parking without appropriate approval, the Applicant stated that the lot would not be shared. However, by a deed dated December 31, 2020 and recorded in the Knox County Registry at Book 5663, Page 36, Shepherd Block Stuart LLC and Shepherd Block Marianne LLC (owners of 18 Central Street) have conveyed to 20 Central Street LLC the entirety of the Sandy's Way parking lot. See plan at Exhibit E. In so doing, the Applicant has made the parking which serves 18 Central no longer on the same lot as that building. This change to the parking lot configuration represents a revision to the 2008 and 2009 site plan approvals for the Shepherd Building, which called for 28 parking spaces to be used by the building, with 14 of those spaces allocated to the 40 planned restaurant seats. This fact was acknowledged by the Planning Board in considering parking

PRETI FLAHERTY

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availability for the hotel in 2020, when it subtracted those 28 parking spaces in determining the amount of parking available in the Sandy's Way lot to serve the new hotel.

With regard to 18 Central, the Sandy's Way lot has now become "off-site parking," which pursuant to Section 803(5) must be reviewed by the Planning Board and cannot be approved until the applicant has provided a traffic and parking study showing that the shared use will not cause undue burdens on traffic or parking, or safety concerns. This constitutes a material change to and violation of the 2008 and 2009 site plan approvals. With regard to 20 Central, the Sandy's Way lot is clearly now "shared parking" with 18 Central, requiring 20 Central LLC and Shepherd Block Stuart/Marianne to provide evidence of a lease and to receive approval under Section 803(6). Especially given the overlay that these represent changes to the Planning Board's prior approvals for 18 and 20 Central Street, Planning Board approval of this significant revision is clearly required.

Thank you for your consideration. We look forward to being heard on this appeal.

Sincerely

A handwritten signature in black ink, appearing to read 'K M Collins', written in a cursive style.

Kristin M. Collins

Enclosures:  
Exhibits  
Appeal form  
Filing fee of \$400

MAP/LOT:  
029-293

**TOWN OF ROCKPORT**  
**BUILDING/USE PERMIT**

BP-ID: 6843  
DATE: 03/10/2021

PERMIT TYPE: Building Permit

DISTRICTS: 913 - Rockport Downtown District

**DETAILS:**

911E ADDR: 20 Central Street

Commercial - principal structure - new 26 room hotel with restaurant and associated use as Planning Board Approved with off site satellite parking

OWNER: 20 Central St LLC

APPLICANT: Gartley & Dorsky Engineering &  
Surveying, Inc. - Will Gartley

PHONE: 207 236 9206

PHONE: 236-4365

ADDR: PO Box 812 Camden ME 04843

ADDR: P.O. Box 1031, Camden, ME 04843

LOT USE: Commercial

SQ FT FOR BUILDING: 5183

WASTE: Town Sewer

HEIGHT: 49'11"

WATER: Maine Water Co.

**REQUIREMENTS:**

- 1) Meet all requirements of the Rockport LUO with particular focus on the standards of District #913 - Rockport Downtown
- 2) Blasting if necessary requires a new permit
- 3) Meet the requirements as submitted and approved by the Planning Board 2/27/2020
- 4) Sewer connection permit is required
- 5) Internal Plumbing Permit required
- 6) Smoke Detectors and Carbon Monoxide Detectors shall be installed as required by codes as applicable
- 7) State permits, if applicable, such as but not limited to M.D.O.T. & State Fire Marshal is the applicants responsibility to obtain
- 8) The 1st inspection is prior to the slab & walls being poured-the 2nd inspection is when the structure is framed without insulation but plumbing and wiring "roughed in"etc.-the 3rd inspection is when finished
- 9) The Professional Architect for this project as seen on the Plan A.O.O dated 12/24/2020 is John E. Hansen Architect #1410 and the plan shall be followed with any changes submitted to the Code Officer
- 10) The Professional Engineer for this project as seen on the Plan dated 12/23/2020 is Gartley & Dorsky #7961 and/or employed by same and shall be followed with any changes given to the Code Enforcement Office
- 11) The Structural Engineer(s) for this project are employed by Gartley & Dorsky and are licensed as stamped on the plan pages
- 12) Utilize Best Management Practices for soil and erosion control BEFORE construction begins
- 13) All ADA shall be as required including ramps to meet ADA specs

FEE: \$14,660.00

Fee Paid: ☒ Check #: 1053

CEO: Scott E. Bickford

ConsCost: \$5,000,000

**NOTE: MUST MEET ALL STATE AND LOCAL REQUIREMENTS**

*All parties to this process including applicants, owners, architects, engineers, surveyors, and all contractors working on this site must ensure that the land use standards of the Town of Rockport and the State of Maine are met.*

PLEASE POST PERMIT FROM R.O.W. - THIS PERMIT MAY BE APPEALED W/ 30 DAYS

**EXHIBIT A**

MAP/LOT:  
029-293

**TOWN OF ROCKPORT**  
**BUILDING/USE PERMIT**

BP-ID: 6843  
DATE: 03/10/2021

- 14) The IBC is applicable to this permit and the applicant shall apply this code to the project
- 15) All Life & Safety Codes as required shall be followed
- 16) The Site Plan and hotel structure shall be erected as designed and approved, with any changes approved by the designer and/or engineering department as is appropriate and copies of approval with changes given to the Code Office
- 17) Signs may require a separate Permit
- 18) All disturbances beyond the owners property line shall have written approval/easements by the other property owners before construction disturbances begin including the Town of Rockport and the M.D.O.T.
- 19) All structural, architectural, engineering and landscaping work should be checked by the licensed professionals from time-to-time to see that the specs are being met and structure is being built as designed
- 20) The Planning Board reviewed and approved the site plan application on 2/27/2020 and adopted the findings of fact on 5/21/2020 for a 26 room hotel and should be followed as approved
- 21) All required easements shall be completed before a Certificate of Occupancy is requested
- 22) The sewer easement and the recording of a memorandum of lease for the off street parking must be satisfied prior to the issuance of a Certificate of Occupancy
- 23) The restaurant(s) & rooms will require a separate Use Permit and Sewer Equivalent Use determination before the Certificate of Occupancy is requested
- 24) The Mechanical plans for Plumbing, Heating, HVAC, are required prior to wall enclosures or any concealment

**CERTIFICATE OF OCCUPANCY IS REQUIRED BEFORE USE**

**NOTES:**

- 1) Application and supporting documentation is on file at the Planning Office
- 2) Design plans by a Licensed Engineer with stamp are on file
- 3) Designed plans by a Licensed Architect with stamp are on file
- 4) Design plans by a Licensed Structural Engineer with stamp are on file
- 5) State Fire Marshal Permit 27474 was approved 2/3/2021 for 6 stories-(Hood series will still need a permit as required by the Fire Marshal)
- 6) This approval includes the off site parking at Pascal & Commercial Street to be utilized as presented with parking plan and landscaping submitted to the Planning Office before a Certificate of Occupancy is requested
- 7) This Permit is subject to the Land Use Ordinance Dated June 12, 2018 since this is the date that the Planning Board was going through for their review

**PLEASE CALL WHEN YOU ARE READY FOR EACH REQUIRED INSPECTION.**

**PLEASE CALL WHEN YOU ARE READY FOR A FINAL OCCUPANCY INSPECTION.**

**THE TOWN OF ROCKPORT ADOPTED THE M.U.B.C. BUILDING CODE JUNE 15, 2016 TO GO INTO EFFECT JULY 1ST 2016. OCCUPANCIES/COMPLIANCE ARE BASED ON THE BUILDING CODE, LAND USE ZONING, PLUMBING, AND LIFE SAFETY STANDARDS.**

**FEE: \$14,660.00**

**Fee Paid: ☒ Check #: 1053**

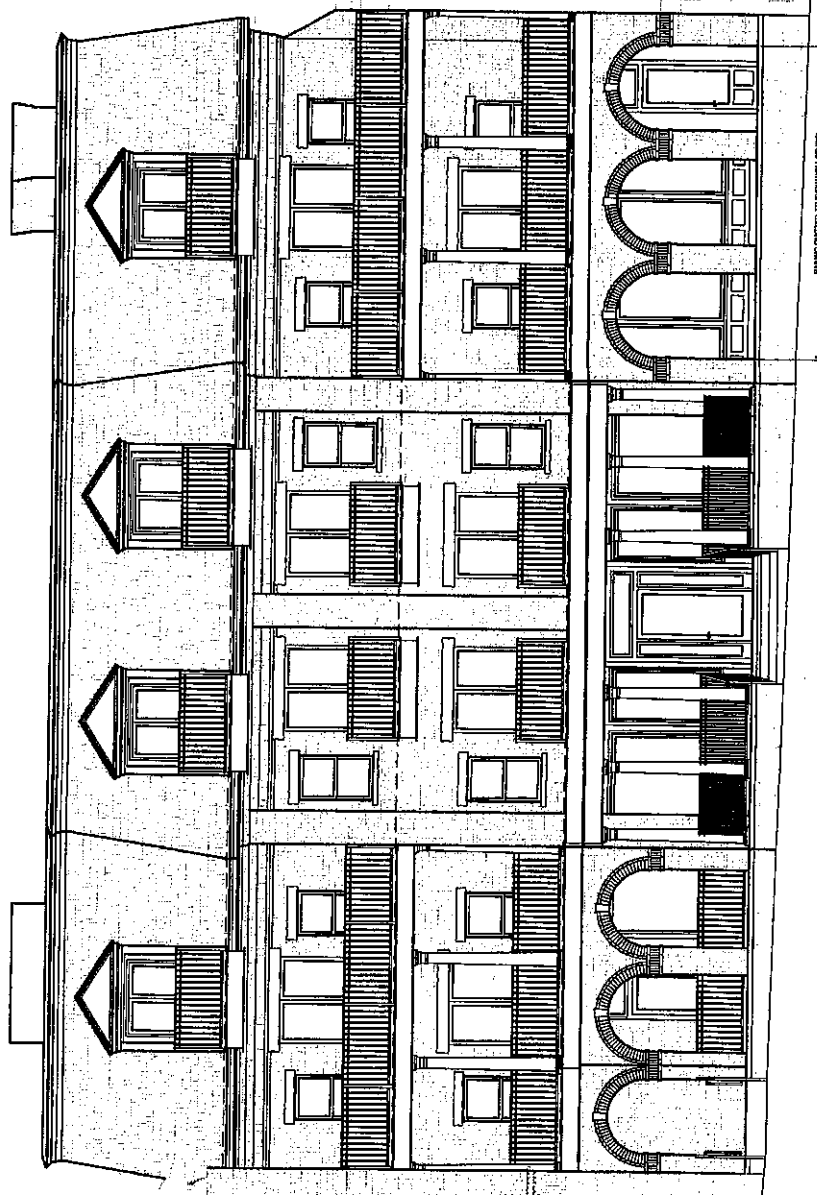
**CEO: Scott E. Bickford**

**ConsCost: \$5,000,000**

**NOTE: MUST MEET ALL STATE AND LOCAL REQUIREMENTS**

*All parties to this process including applicants, owners, architects, engineers, surveyors, and all contractors working on this site must ensure that the land use standards of the Town of Rockport and the State of Maine are met.*

**PLEASE POST PERMIT FROM R.O.W. - THIS PERMIT MAY BE APPEALED W/I 30 DAYS**

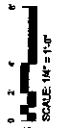


**ROCKPORT HARBOR HOTEL**  
20 Central Street, Rockport, ME 04856

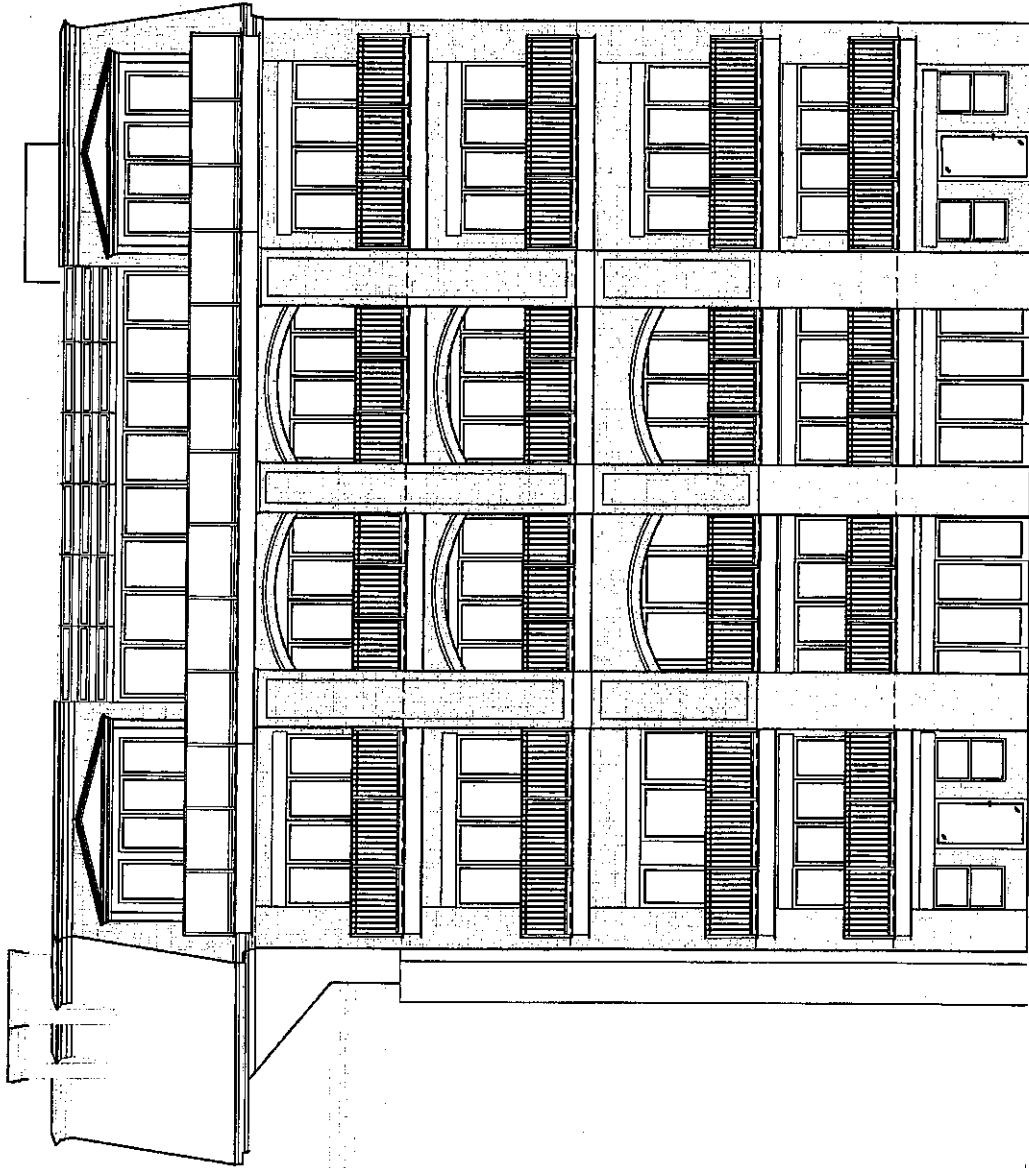
**JOHN E. HANSEN ARCHITECT**  
632 Spruce Head Road  
South Thomaston, ME 04853  
(207) 864-2310 (207) 862-6882 [hansen@jeha.com](mailto:hansen@jeha.com)



DATE	12/29/2020
PROJECT	ROCKPORT HARBOR HOTEL
ARCHITECT	JOHN E. HANSEN ARCHITECT
SCALE	1/4" = 1'-0"
NO.	1



**SOUTH ELEVATION**





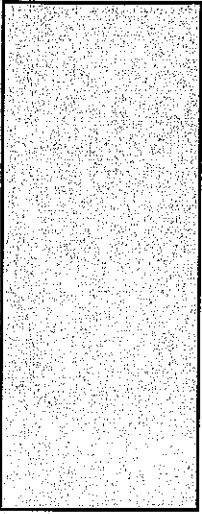
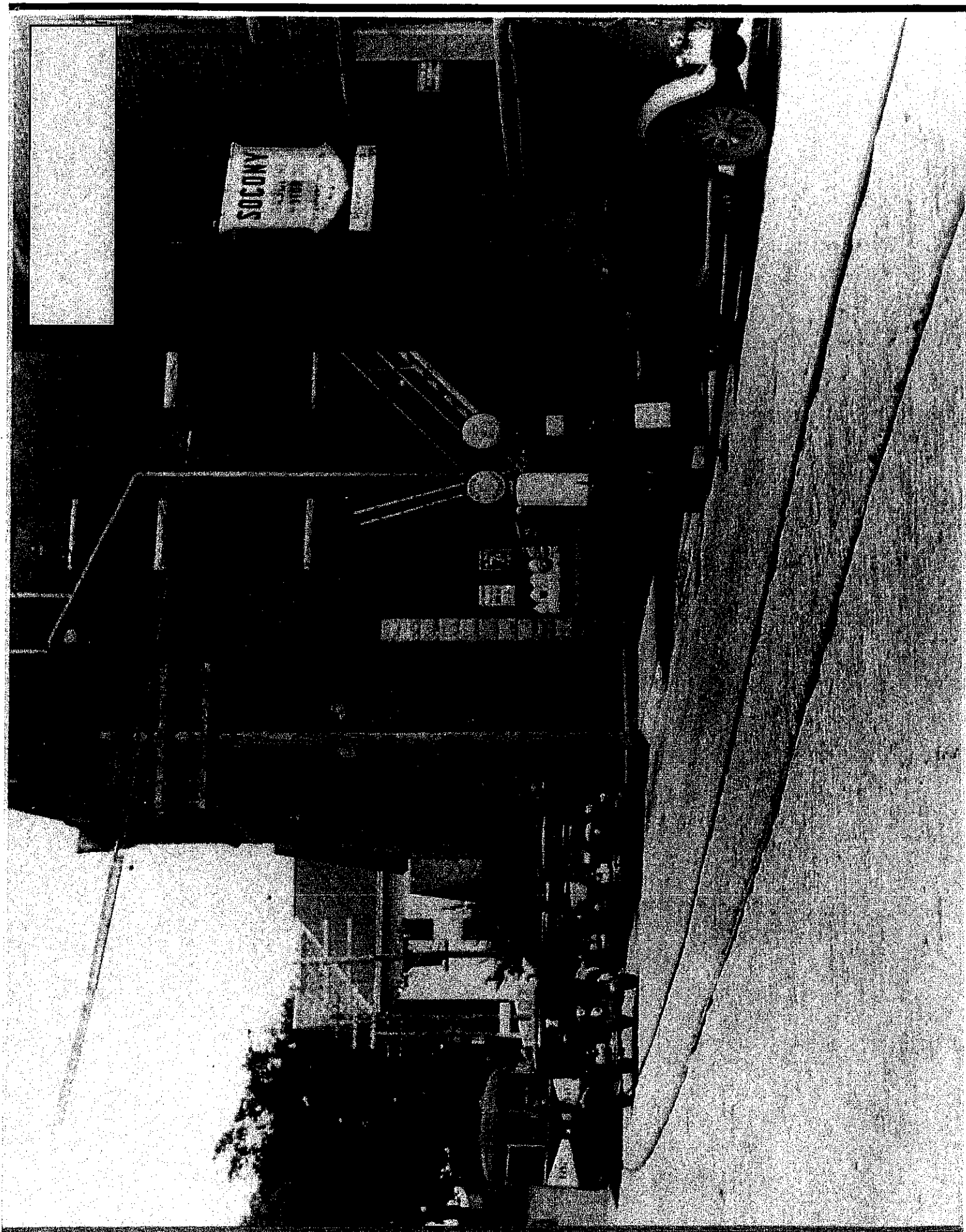
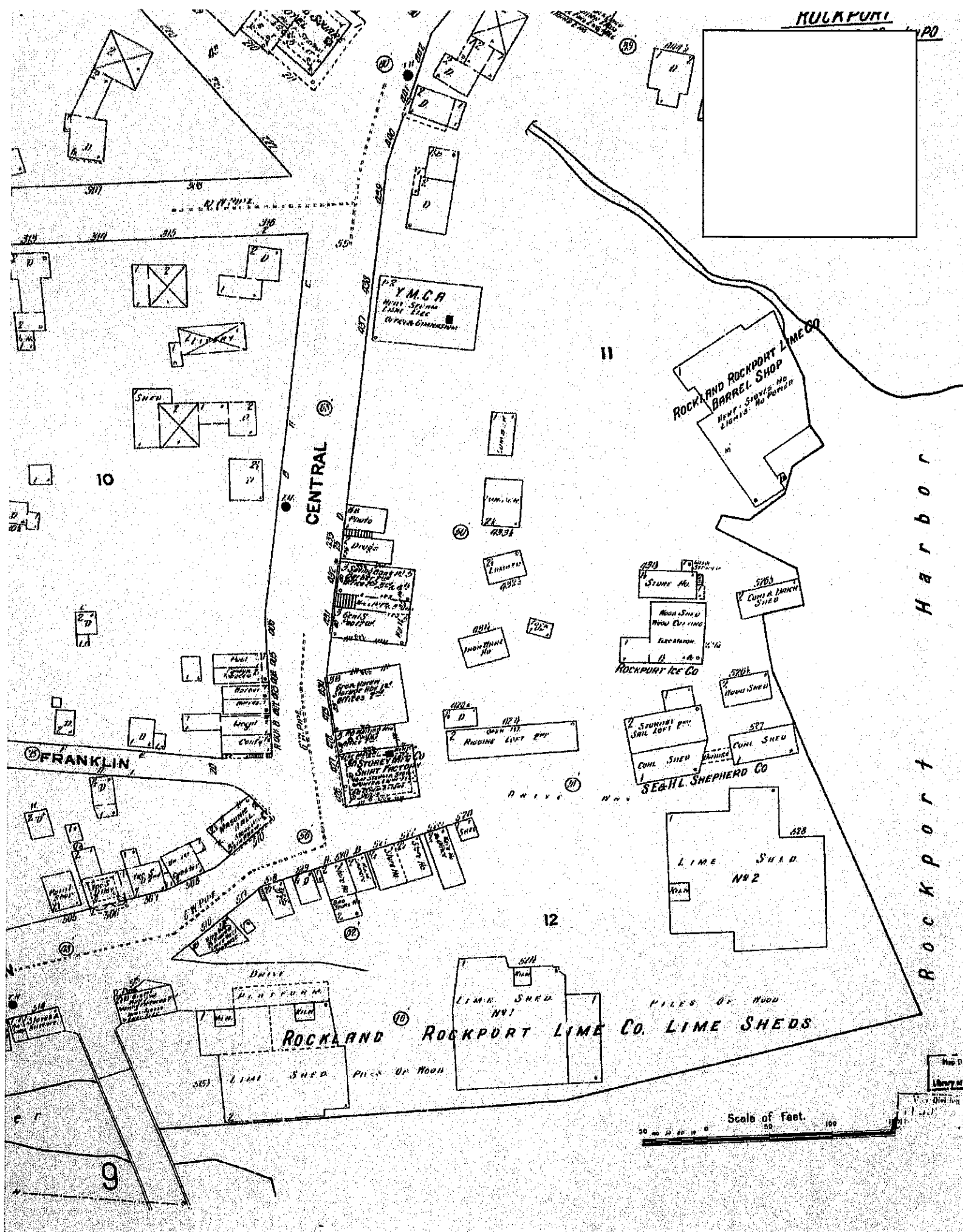


EXHIBIT C





**ROCKPORT HARBOR HOTEL**

20 Central Street, Rockport, ME 04856

**JOHN E. HANSEN ARCHITECT**

833 Spruce Head Road  
South Thomaston, ME 04858  
(207) 864-0310 (207) 867-4453 [john@jehansenarchitect.com](mailto:john@jehansenarchitect.com)

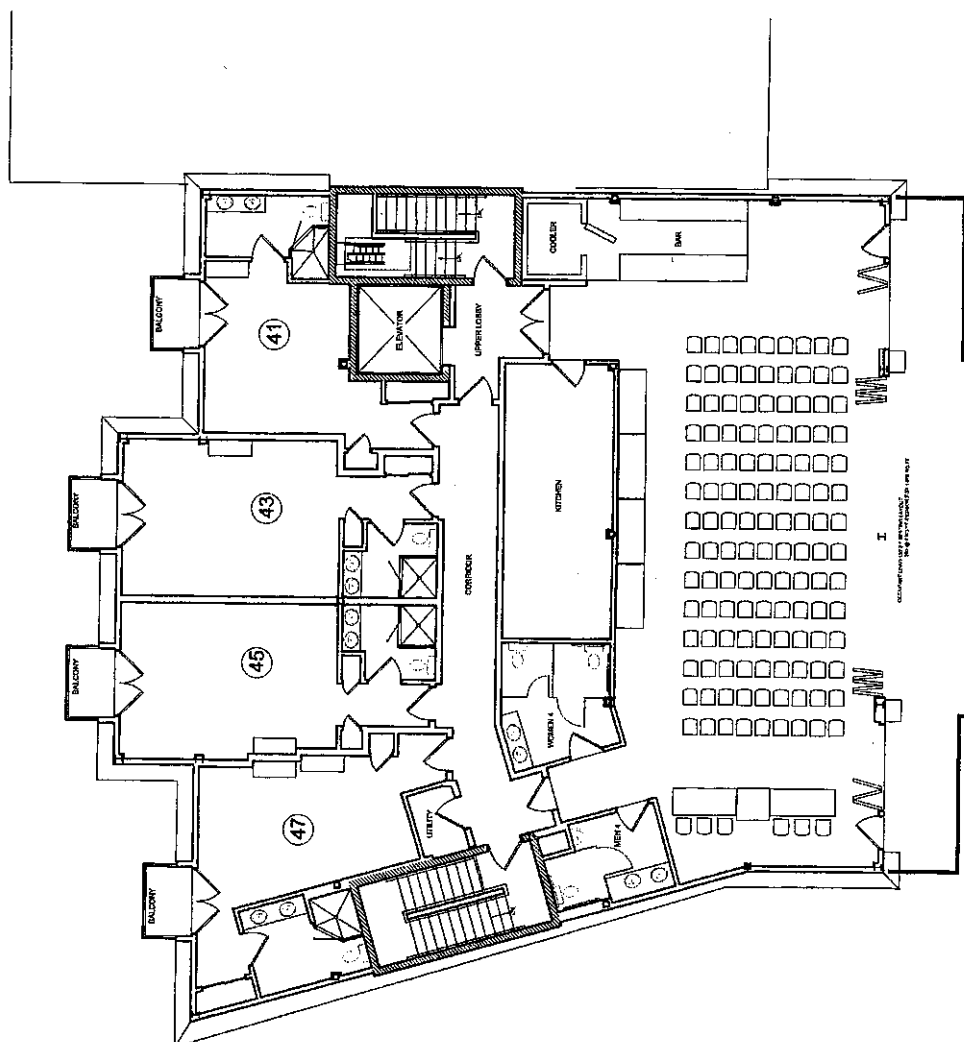
REVISIONS

DATE

BY

NO.

EXHIBIT D



**FOURTH FLOOR SEATING**

EXHIBIT D

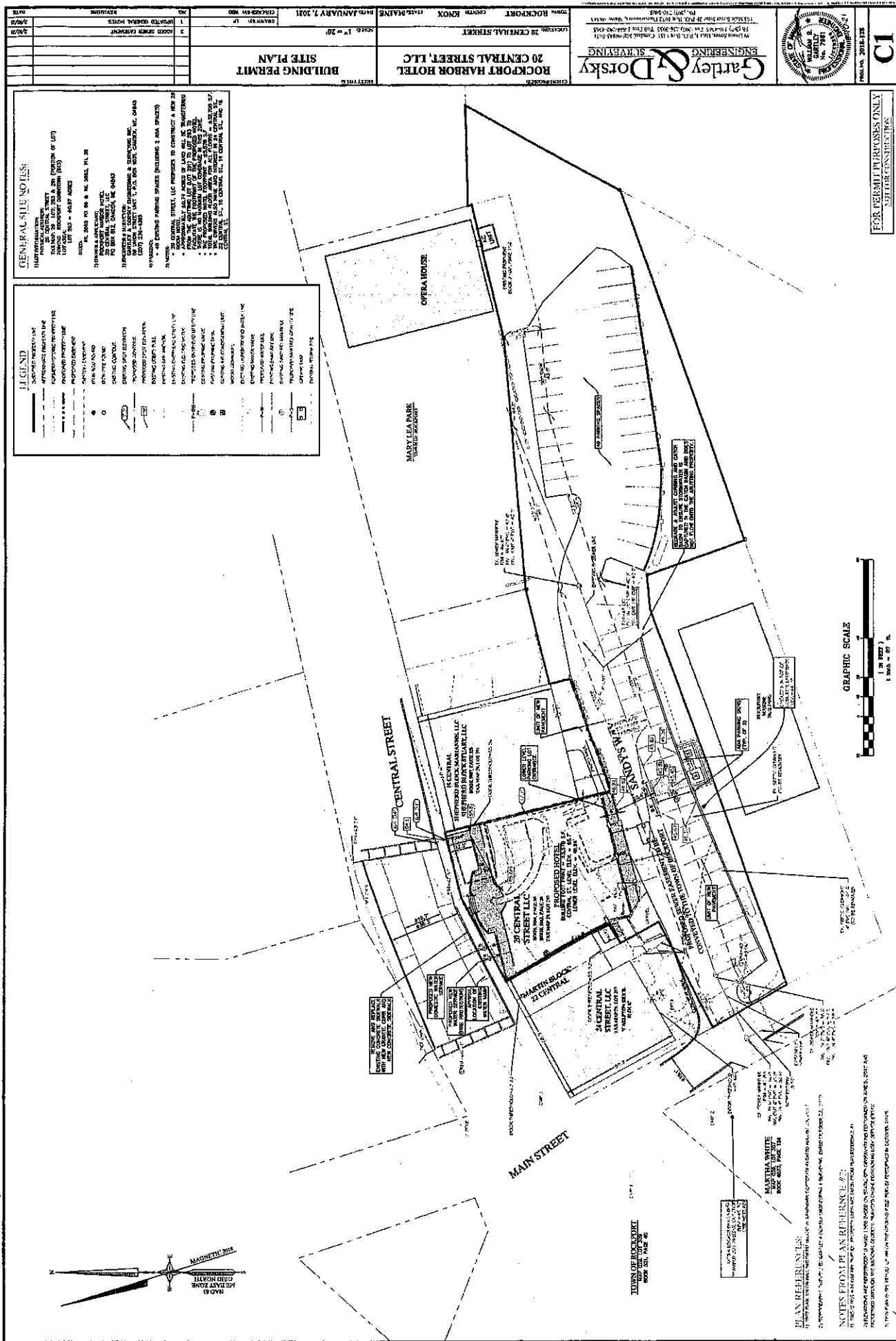


EXHIBIT E